

**MINUTES OF CRIMINAL PROCEEDINGS
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA

vs.

David Hafely

JUDGE PATRICIA A. GAUGHAN

DATE.: June 30, 2017

CASE NO.: 4:16CR391-001

COURT REPORTER: Shirle Perkins

United States Attorney: Ranya Elzein for Karrie Howard
Attorney for Defendant: Carolyn Kucharski Retained () CJA () FD (✓)
Probation Officer: John Riffle
Interpreter:

() DEFENDANT ARRAIGNED.

Plea of () GUILTY () NOT GUILTY () NOLO CONTENDERE entered to count(s) _____ of the
() INDICTMENT () INFORMATION.

Bond \$ _____ () SET; () CONTINUED; () COMMITTED; () DETAINED

() Defendant waives reading of indictment.

() Waiver of indictment executed.

() Pretrial set for _____

() DEFENDANT'S PLEA OF NOT GUILTY WITHDRAWN.

Plea of () GUILTY () NOLO CONTENDERE entered to count(s) _____ of the () INDICTMENT
() INFORMATION.

() Referred to Probation for Presentence Report.

() Plea agreement executed between parties.

() Sentencing set for _____

(✓) DEFENDANT SENTENCED.

(✓) Committed to the custody of the Bureau of Prisons for a period of 97 months
on Counts 1, 2 & 3 of the Indictment to run CONCURRENT.

() Defendant given credit for time served since.

(✓) Period of 3 year of SUPERVISED RELEASE on all counts to run concurrent with standard/special
conditions as ordered. (See reverse side)

() Period of _____ year of PROBATION with standard/special conditions as ordered. (See reverse
side)

(✓) Pursuant to 18:3013 USC, Defendant is to pay a SPECIAL ASSESSMENT of \$ 100.00 as to each
of Counts 1, 2 & 3 for a total of \$ 300.00.

() Upon motion of the AUSA, count(s) _____ is dismissed.

(✓) Execution of the sentence deferred and the bond continued. Defendant shall report to the designated
institution upon notification by the Bureau of Prisons or the U.S. Marshal's Office.

(✓) The Court recommends placement at Milan.

STANDARD/SPECIAL CONDITIONS OF SUPERVISED RELEASE/PROBATION

- () Defendant to perform _____ hours of community service work at the discretion of the officer.
- () Defendant is to reside in a Community Treatment Center for a period of _____ days/months to begin not later than _____. (Work/Medical/Religious Services release privileges granted).
- () Defendant shall participate in the Location Monitoring Program for a period of _____ months, beginning **no later than 30 day upon release from custody**. Defendant will be required to remain in her place of residence, unless given written permission in advance by the Probation Officer to be elsewhere. (Work/Medical/Religious Services release privileges granted). Location monitoring technology at the discretion of the officer.
- () Defendant may participate in the Discretionary Leave Program.
- () Defendant shall pay the cost of the Location Monitoring Program, based on their ability to pay as directed by te U.S. Pretrial Services & Probation Officer.
- () Defendant shall participate in an approved program of substance abuse testing and/or outpatient or inpatient substance abuse treatment as directed by their supervising officer; and abide by the rules of the treatment program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). The defendant shall not obstruct or attempt to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing.
- (✓) Defendant shall submit to one drug test within 15 days of the commencement of supervised release and to at least two periodic drug tests thereafter as directed by the probation officer.
- (✓) Defendant must undergo a mental health evaluation and/or participate in a mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program(provider, location, modality, duration, intensity, etc.).
- () Defendant shall not incur new credit charges or open additional lines of credit without the approval of the Probation Officer (unless the defendant is in compliance with the payment schedule).
- (✓) Defendant must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office.
- (✓) Defendant shall report in person to the U.S. Probation Office in the district to which the defendant is released, within 72 hours of release from the custody of the Bureau of Prisons.
- () Defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release/probation.
- () Defendant shall not possess a firearm or destructive device.
- () Defendant shall submit to a warrantless search.
- (✓) Defendant shall cooperate with the collection of DNA.
- () Defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and/or any other anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
- () Defendant shall pay the imposed FINE of \$_____ to be paid within 90 days.
- (✓) Fine NOT ordered due to defendant's inability to pay.
- (✓) Defendant shall make RESTITUTION to **SEE J&C** in the amount of **\$ 2,000 per victim Total \$42,000.00** pursuant to 18:3579/18:3663.
 - (✓) Payments shall be made through the BOP's Inmate Financial Responsibility Program at a rate of **25 %** gross monthly income. Any unpaid amount upon release from prison, shall be made at a minimum rate of not less than **10 %** gross monthly income to commence within 60 days of release.
- OR**
- () Payments shall be made at a minimum rate of not less than _____% gross monthly income.
- (✓) Defendant shall enter an adult program and work toward a Certificate of General Educational Development (GED) at the discretion of the U.S. Pretrial Services and Probation Officer.

COMMENTS: *Additional Conditions-* Sex Offender Assessment; Computer/Internet Restrictions; Computer Search; Sex Offender Registration and Notification Act (Adam Walsh Act); No Possession of Pornographic Materials; Polygraph Examination; Sex Offender Treatment; No Internet Access Without Permission; Computer Monitoring Software; Computer Search Warning of Others; Minor Restrictions; Dating Restriction; Enhanced Home Inspection; Strip Clubs; No Sex Paraphernalia

Time: 30 mins.

/s/ Patricia A. Gaughan
 Patricia A. Gaughan, Chief Judge
 United States District Court